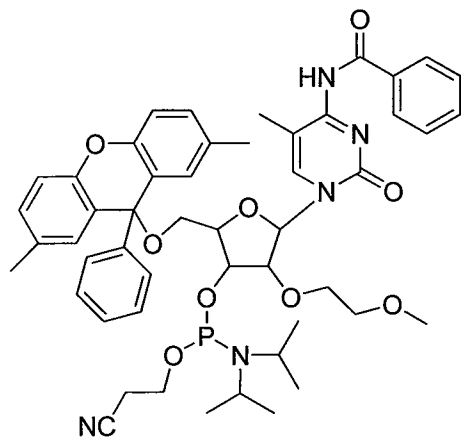


Remarks

Following entry of the amendments submitted herewith, Claims 1-25 will be pending. Claims 1-23 have been amended. Claims 1 and 23 have been amended to remove subject matter as drawn to non-elected invention and to correct minor typographical errors. Claims 5 and 12 have been amended to more accurately describe OPR. Claim 10 has been amended to more distinctly claim the subject matter by including the wording of the preamble into the body of the claim. Claim 22 has been amended to more accurately describe the nucleic acid moiety. Basis for the amendments can be found throughout the specification (for example, see page 25 lines 25-33, page 27 line 31 through page 29 line 4). Independent claims 12 and 23 have been amended to recite the formulae (Ia) and (I) respectively by incorporating all of the limitations of the base claim 1. Basis for the claim amendments can be found throughout the specification. No new matter has been added.

Applicants elect the invention of Group I: claims 1-25 (in part), drawn to compounds and methods of making compounds wherein Q is O or S and wherein R¹-R⁸ do not combine to form a ring.

Applicants further elect the species having the formula:



The elected species can be found in Example 12 at page 51, where Q is O; R¹, R³, R⁴, R⁵, R⁶ and R⁸ are H; R² and R⁷ are methyl; R⁹ is aryl; and Z is a nucleotide phosphoroamidite.

DOCKET NO: DVCM0002USA
SERIAL NO: 10/597,808
Office Action Mail Date: 10/14/2008

Claims 1-25 as currently amended, encompass the elected invention.

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, an early office action on the merits is respectfully requested.

Respectfully submitted,



Carmen K. Robinson

Registration No. 59,489

Date: November 12, 2008

Isis Pharmaceuticals, Inc.
1896 Rutherford Road
Carlsbad, CA 92008
Telephone: (760) 603-2766
Facsimile: (760) 603-3820